

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NIKKI WATSON-TOBAH

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: JAN 13 2014

Plaintiff(s) : 13 Civ. 7483 (KBF)

ROYAL MOVING &amp; STORAGE, INC. and LOUIS DA-SILVA

SCHEDULING ORDER

Defendant(s) :

KATHERINE B. FORREST, District Judge:

The parties propose the following schedule for this matter:

1. All parties [do  / do not  ] consent to conducting all further proceedings before a United States Magistrate Judge, including motions and trial. 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences.<sup>1</sup>
2. Close of fact discovery: April 6, 2014, Jun 2, 2014. [within 4 months]  
July 2, 2014
3. Close of expert discovery: April 31, 2014. [25 days after the close of fact discovery]

The parties contemplate experts in this matter for the following subject(s): hability and damages.

4. [For F.L.S.A. actions only] The plaintiff(s) [do  / do not  ] anticipate making a motion for conditional certification of a collective action under 29 U.S.C. § 216(b). Plaintiff(s) shall include a proposed notice with the opening brief.

Proposed briefing schedule:

Opening: \_\_\_\_\_ [30 days after initial conference]

<sup>1</sup> If all parties so consent, they should execute a consent form (available at <http://www.nysd.uscourts.gov/file/forms/consent-to-proceed-before-us-magistrate-judge>) and submit it to the Court via e-mail, along with this proposed order.

Opp'n: \_\_\_\_\_ [21 days after opening brief]  
Reply: \_\_\_\_\_ [7 days after opposition brief]

5. The parties [do  / do not  ] anticipate making dispositive motions. The contemplated dispositive motion(s) is/are a motion(s) unknown.

Proposed briefing schedule:

Opening: \_\_\_\_\_ [no later than item 3] July 2,  
Opp'n: \_\_\_\_\_ [21 days after opening brief]  
Reply: \_\_\_\_\_ [7 days after opposition brief]

*must be fully brief by*

*July 2*

**Last dates to file. Motions may be brought at any time.**

6. Trial [will  / will not  ] be before a jury.

**DO NOT FILL IN BELOW. THE COURT WILL SET ITEMS 7-10.**

7. The next status conference in this matter is set for 4/25/14 at 1pm.

8. All pretrial materials, including the Joint Pretrial Order ("JPTO") are due: \_\_\_\_\_.

9. The Final Pretrial Conference ("FPTC") in this matter is set for \_\_\_\_\_ at \_\_\_\_\_.

10. Trial in this matter shall commence on 7/21/14. Trial is anticipated to take 2 [days / weeks].

**Settlement discussions must occur in parallel to this schedule (schedule will not be adjourned, except in very unusual situations, for settlement discussions).**

SO ORDERED.

Dated: New York, New York  
1/10/14, 2014

*Katherine B. Forrest*  
KATHERINE B. FORREST  
United States District Judge